

**A RESOLUTION
BY FINANCE/EXECUTIVE COMMITTEE**

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN APPROPRIATE CONTRACTUAL AGREEMENT WITH IBM CORPORATION, PURSUANT TO CITY CODE SECTION 2-1191 (SOLE SOURCE PROCUREMENT), FOR THE PURPOSE OF PROVIDING IBM MAXIMO ASSET MANAGEMENT SOFTWARE LICENSES FOR PURCHASING, INVENTORY AND WORK ORDERS ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT, IN AN AMOUNT NOT TO EXCEED ONE HUNDRED EIGHTY-ONE THOUSAND DOLLARS AND NO CENTS (\$181,000.00); ALL CONTRACTED WORK TO BE CHARGED TO AND PAID FROM FUND, DEPARTMENT ORGANIZATION AND ACCOUNT NUMBER 5052 (WATER AND WASTEWATER RENEWAL AND EXTENSION FUND) 170201 (DWM WASTEWATER TREATMENT & COLLECTION) 5424003 (COMPUTERS \$5,000+) 4310000 (SANITARY ADMINISTRATION); AND FOR OTHER PURPOSES.

WHEREAS, the City secured IBM Corporation computerized licenses to support the increased need to input/receive data for the Department of Watershed Management; and

WHEREAS, it is the desire of the Department of Watershed Management to acquire IBM Maximo Asset Management software licenses, which will be primarily utilized by the Bureau of Wastewater Treatment and Collection ("WTC") to incorporate financials and revised work accountability procedures into the WTC Standard Operating Procedures; and

WHEREAS, it has been determined that IBM Maximo Asset Management software licenses are required because the current software licenses are not adequate to allow efficient use of the Computerized Maintenance Management System; and

WHEREAS, said licenses may only be acquired from IBM Corporation and the Chief Procurement Officer has authorized a sole source procurement in accordance with the City of Atlanta Code of Ordinances Section 2-1191; and

WHEREAS, the Commissioner of the Department of Watershed Management and the Chief Procurement Officer recommend that the contract for IBM Maximo Asset Management software licenses be awarded to IBM Corporation, in an amount not to exceed One Hundred Eighty-One Thousand Dollars and No Cents (\$181,000.00); and

WHEREAS, the City has determined that it is desirable and in its best interests to make such recommended award.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES that the Mayor is authorized to execute a sole source procurement with IBM Corporation for IBM Maximo Asset Management Software Licenses, For Purchasing, Inventory and Work Orders on behalf of the Department of Watershed Management, in an amount not to exceed One Hundred Eighty-One Thousand Dollars and No Cents (\$181,000.00).

BE IT FURTHER RESOLVED, that all contracted work will be charged to and paid from Fund, Department Organization and Account number 5052 (Water And Wastewater Renewal and Extension Fund) 170201 (DWM Wastewater Treatment & Collection) 5424003 (Computers \$5,000+) 4310000 (Sanitary Administration).

BE IT FURTHER RESOLVED, that the Chief Procurement Officer is directed to assist the City Attorney in the preparation of an appropriate contractual agreement for execution by the Mayor.

BE IT FINALLY RESOLVED, that the Contract will not become binding upon the City, and the City will incur no liability under it until the Contract is executed by the Mayor, attested to by the Municipal Clerk, approved by the City Attorney as to form and delivered to IBM Corporation.



CITY OF ATLANTA

Shirley Franklin
Mayor

SUITE 1790
55 TRINITY AVENUE, SW
ATLANTA, GA 30303
(404) 330-6204 Fax: (404) 658-7705
Internet Home Page: www.atlantaga.gov

DEPARTMENT OF PROCUREMENT
Adam L. Smith, Esq., CPPB
Chief Procurement Officer
asmith@atlantaga.gov

July 16, 2008

SOLE SOURCE PROCUREMENT CERTIFICATION

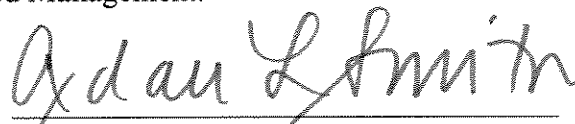
This sole source request is made for IBM Corporation, for the Maximo Asset Management Software Licenses for the City of Atlanta, Department of Watershed Management.

Having conducted an investigation of the available sources regarding the materials, goods and/or services stipulated herein pursuant to § 2-1191 of the City of Atlanta Code of Ordinances, Sole Source Procurement, my findings are the following:

1. IBM Corp. - Is the sole source vendor for the Maximo Asset Management Software Licenses. The comprehensive maintenance work management solution is for planned and unplanned activities including long and short term planning, preventive, reactive, and condition based maintenance, schedule management, resource optimization, and key performance indicators.
2. IBM Corp. - IBM's character has been formed over nearly 100 years of doing business in the field of information-handling. Nearly all of the company's products were designed and developed to record, process, communicate, store, and retrieve information. IBM helped pioneer information technology over the years and it stands today at the forefront of a worldwide industry that is revolutionizing the way in which enterprises, organizations, and people operate and thrive.
3. IBM Corp. - Is located at 4111 Northside Parkway, Atlanta, GA 30327-3098.

I, Adam L. Smith, by the authority vested in me pursuant to § 2-1137, do hereby approve, direct and authorize the sole source procurement for Requisition Number:

109-514 & 109-535 for the IBM Corporation, for the Maximo Asset Management Software Licenses for Purchasing, Inventory, and Work Orders, in which this will allow Wastewater Treatment and Collection (WTC) Mechanics, Electricians, Technicians, and Laboratory Staff to enter time directly in the Computerized Maintenance Management System for the City of Atlanta, Department of Watershed Management.


Adam L. Smith



SHIRLEY FRANKLIN
MAYOR

CITY OF ATLANTA
55 TRINITY AVENUE, SW, SUITE 5400, SOUTH BLDG.
ATLANTA, GEORGIA 30303-0324
OFFICE (404) 330-6081
FAX (404) 658-7194

DEPARTMENT OF
WATERSHED MANAGEMENT
ROBERT J. HUNTER
Commissioner

June 30, 2008

TO: Adam L. Smith, Chief Procurement Officer
Department of Procurement

FROM: Robert J. Hunter, Commissioner
Department of Watershed Management

RE: **LEGISLATIVE REQUEST FOR SOLE SOURCE PROCUREMENT**
CONTRACT: IBM MAXIMO Asset Management Software Licenses for
Purchasing, Inventory and Work Orders
Contractor: IBM

The Department of Watershed Management requests approval for sole source procurement pursuant to city code section 2-1191 for the purpose of securing additional licenses for the above referenced services.

These licenses are needed as the Bureau of Wastewater Treatment and Collection (WTC) incorporates COA Oracle financials and revised work accountability procedures into the WTC Standard Operating Procedures. These licenses allow WTC mechanics, electricians, technicians and laboratory staff to enter time directly into the Computerized Maintenance Management System (CMMS).

Please approve this request with IBM, in the amount of \$181,000.00 for these services. The cost shall be charged to and paid from all contracted work will be charged to and paid from Fund, Department Organization and Account number 5052 (Water And Wastewater Renewal and Extension Fund) 170201 (DWM Wastewater Treatment & Collection) 5424003 (Computers (\$5,000+)).

If you have any additional questions or concerns, please feel free to contact Gwendolyn J. Carswell, Watershed Manager, at 404-330-6331 or Phyllis Brown, Buyer, at 404-330-6263.

Thank you for your approval of this request.

/gjc

c: Sheila Pierce, DWM
David Chapman, DOP
Gwendolyn J. Carswell, DWM
Phyllis Brown, DWM

Legislation Summary

Committee of Purview:

Caption

A resolution authorizing the Mayor to execute an appropriate contractual agreement on behalf of the Department of Watershed Management with IBM Corporation, in an amount not to exceed one hundred eight-one thousand dollars and no cents (\$181,000.00). All contract work shall be charged to and paid from fund account and center numbers: 5052 (Water and Wastewater Renewal and Extension Fund), 170201 (DWM Wastewater Treatment & Collection), 5424003 (Computers \$5000+), 4310000 (Sanitary Administration).

Council Meeting Date: **July 21, 2008**

Legislation Title: **Resolution authorizing the Chief Procurement Officer to utilize in Pursuant to City Code Section 2-1191 (Sole Source Procurement), for the purpose of providing IBM Maximo Asset Management Software Licenses for Purchasing, Inventory, and Work Orders on behalf of the Department of Watershed Management in an amount not to exceed one hundred eight-one thousand dollars and no cents (\$181,000.00). All contract work shall be charged to and paid from fund account and center numbers: 5052 (Water and Wastewater Renewal and Extension Fund), 170201 (DWM Wastewater Treatment & Collection), 5424003 (Computers \$5000+), 4310000 (Sanitary Administration).**

Requesting Department: **Department of Watershed Management**

Contract Type: **N/A**

Source Selection: **Pursuant to City Code Section 2-1191 (Sole Source Procurement)**


Bids/Proposals Due: **N/A**

Invitations Issued: **N/A**

**Number of Bids/
Proposals Received:** **N/A**

Bidders/Proponents:	N/A
Justification Statement:	N/A
Background:	N/A
Fund Account Centers:	5052 (Water and Wastewater Renewal and Extension Fund), 170201 (DWM Wastewater Treatment & Collection), 5424003 (Computers \$5000+), 4310000 (Sanitary Administration).
Source of Funds:	N/A
Fiscal Impact:	N/A
Term of Contract:	N/A
Method of Cost Recovery:	N/A
Approval:	
DOF:	
DOL:	
Prepared By:	Patricia Lowe, Buyer
Contact Number:	404.330.6583

Category # 208.5500
Acct # 5316013

		International Business Machines Corporation 100 Crosby Drive Bedford, MA 01730, USA		Product Quote TMS AtlantaSWTLC_US_080227_100						
End User Company: City of Atlanta Bureau of Wastewater Treatment and IBM Cust Number: SAP Customer No: Address: 350 Englewood Avenue City/State/Zip: Atlanta, GA, 30315 Country: US Contact: David St. Pierre Main Phone: 404-635-2600 Email: dstpierre@atlantaga.gov		Payer Company: City of Atlanta Bureau of Wastewater Treatment and IBM Cust Number: 1763405 SAP Customer No: Address: 350 Englewood Avenue City/State/Zip: Atlanta, GA, 30315 Country: US Contact: David St. Pierre Main Phone: 404-635-2600 Email: dstpierre@atlantaga.gov		Ship to Company: City of Atlanta Bureau of Wastewater Treatment and IBM Cust Number: SAP Customer No: Address: 350 Englewood Avenue City/State/Zip: Atlanta, GA, 30315 Country: US Contact: David St. Pierre Main Phone: 404-635-2600 Email: dstpierre@atlantaga.gov						
Part #	Part Description	Qty	Start Date	End Date	List Price	Vol Disc %	Vol Price	Discount	Unit Price	Extended Price
Software + 1st year Maintenance										
DS00LL	MAXIMO ASSET MANAGEMENT SECONDARY USER LIC=SW MAINT 12 MO	40			1,237.00	10.00	2,013.30	0.00	2,013.30	181,187.00

2 Requisitions
 \$100,665.00 #09514 - 50 licenses - 50 52.170201.5316012-436000
 \$80,532.00 109535 - 40 licenses - 50 52.170204.5316012-433500

Part #	Part Description	Qty	Start Date	End Date	List Price	Vol Disc %	Vol Price	Discount	Unit Price	Extended Price

Please fax or email your PO or signed quotation.

Fax: 1-845-559-6260

Email: MRONAFax@us.ibm.com

Payment Terms: Net Payment of the Total Fees noted above is due upon receipt of invoice.

Quotation Terms and Conditions

Quote Expires: 21-Mar-2008

1. The prices listed above are based on the Program(s) being quoted under the terms of the IBM International Program License Agreement ("IPLA") and the License Information ("LI") that can be viewed at <http://www.ibm.com/software/sa/contracts> and are included with the shipment of the Program(s) or for electronic delivery included with the product download instructions. Software Maintenance is governed by the IBM Agreement for the Acquisition of Software Maintenance ("IASM") which is available upon request. This quotation is expressly conditional on acceptance of such terms. No additional terms will apply without IBM's prior, express written consent.
2. More detailed information about Support can be found in the IBM Software Support Guide, located at <http://tech4u.ibm.com/ibm.com/guides/handbook.html>.
3. Price quoted does not include any VAT/GST/sales tax. Applicable rates (VAT/GST) will be added upon invoicing. If any authority imposes a duty, tax, levy or fee, excluding those based on IBM's net income, upon the Program(s) and/or Software Maintenance, then the End User agrees to pay the amount specified or supply exemption documentation. The End User is responsible for any personal property taxes for the Program(s) and/or Software Maintenance from the delivery date.
4. Changes to the terms of this Quote or the documents referred to herein shall not be valid unless agreed in writing by the End User and IBM. Approval or different terms in any order or written communication from the End User will be void. Please Submit your Purchase Order or sign this quotation form to confirm your acceptance of these terms.
5. Prices set forth in this Quote are valid only through the "Quote Expires" date above. Any discounts offered herein are subject to change if item(s) or quantity ordered do not match those listed in this Quote.
6. Net Payment of the Total Fees is due upon receipt of invoice.
7. Shipping is FOB Origin.
8. You acknowledge and agree that this transaction is to be conducted in the language of this quote, and agree that the terms of the agreement (including this form and the IPLA, LI and IASM) as written are valid and enforceable. If you are a Business Partner you will ensure that the terms of the IPLA, LI and IASM, as applicable, are provided to the End User prior to providing any Program(s) to the End User.
9. IBM shall have the right to verify your compliance with the license terms on your premises during your normal business hours and in a manner that minimizes disruption to your business. IBM may use an independent auditor for this with your prior approval, which you will not unreasonably withhold. If you are a Business Partner you will ensure that IBM has the right to verify the End User's compliance with the license terms in accordance with this paragraph.
10. Unless otherwise agreed, IBM may make partial shipment of Programs making up one order.
11. This Quote, and the documents referenced herein, including but not limited to the IPLA, LI and IASM in item 1 above, constitute the entire agreement between the parties (and where relevant the End User) in connection with the subject matter indicated, and supersede, merge and void all prior and contemporaneous agreements, understandings, negotiations and discussions, whether oral or written, of the parties with respect thereto.

Additional Comments/Instructions

This proposal is good through March 21, 2008. These secondary seats will be used to support the following HPE/HP modules:
Prolix
Inventory
Proactive Maintenance

On your purchase order, please be sure to reference to quote number THIS_Atlanta0779C_US_000227

Part #	Part Description	Qty	Start Date	End Date	List Price	Vol Disc %	Vol Price	Discount	Unit Price	Extended Price

Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Committee of Purview: City Utilities

Caption: A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN APPROPRIATE CONTRACTUAL AGREEMENT WITH IBM CORPORATION, PURSUANT TO CITY CODE SECTION 2-1191 (SOLE SOURCE PROCUREMENT), FOR THE PURPOSE OF PROVIDING IBM MAXIMO ASSET MANAGEMENT SOFTWARE LICENSES FOR PURCHASING, INVENTORY AND WORK ORDERS ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT, IN AN AMOUNT NOT TO EXCEED ONE HUNDRED EIGHTY-ONE THOUSAND DOLLARS AND NO CENTS (\$181,000.00); ALL CONTRACTED WORK TO BE CHARGED TO AND PAID FROM FUND, DEPARTMENT ORGANIZATION AND ACCOUNT NUMBER 5052 (WATER AND WASTEWATER RENEWAL AND EXTENSION FUND) 170201 (DWM WASTEWATER TREATMENT & COLLECTION) 5424003 (COMPUTERS \$5,000+) 4310000 (SANITARY ADMINISTRATION); AND FOR OTHER PURPOSES.

Council Meeting Date: July 21, 2008

Requesting Dept.: Watershed Management

B. To be completed by the department:

1. Please provide a summary of the purpose of this legislation (Justification Statement).

Example: The purpose of this legislation is to anticipate funds from a local assistance grant to purchase child safety seats.

The purpose of the Legislation is to acquire through sole source procurement pursuant to city code section 2-1191 additional IBM MAXIMO licenses and assistance with the installation of 4 sessions of MAXIMO software on 2 Dell Servers to support the new installation of the Department of Watershed Management's Computerized Maintenance Management System (CMMS). This technical support is required to provide the software manufacturer hands-on implementation of the Bureau's CMMS and allows COA IT staff to gain knowledge of the installation process. This service also places ownership of the performance of the software with the vendor IBM.

2. Please provide background information regarding this legislation.

Example: The task force of homelessness conducted a study regarding homelessness, its impact and consequences on the City. This resolution reflects the Mayor's desire to open a twenty-four hour center that will respond to the needs of the homelessness in Atlanta.

The mission of the project is to provide the Bureau of Wastewater Treatment and Collections (WTC) and DWM the ability to track work, materials, services, inventory, equipment preventative maintenance, purchasing, contracts and asset depreciation on a single platform which is MAXIMO, a industry wide asset management application. MAXIMO and this new installation responsibility is to protect the COA's waste processing facilities and collection infrastructure. This resolution for IBM support is in compliance with the Mayor's desire to maintain the City's waste treatment and waste water infrastructure in the best condition and state of readiness as possible. It also complies with the Commissioner of DWM's strategic plan for an enterprise wise pro-active initiative for the department to upgrade the organizational readiness and response to protect the citizens and property from water damage due to rain events.

3. If Applicable/Known:

(a) Contract Type (e.g. Professional Services, Construction Agreement, etc):

Computer Software Sales and Support Agreement

(b) Source Selection: Sole Source

(c) Bids/Proposals Due: 4/28/08

(d) Invitations Issued:

(e) Number of Bids:

(f) Proposals Received: 4/28/08

(g) Bidders/Proponents:

(h) Term of Contract:

4. Fund Account Center (Ex. Name and number):

5052 (Water and Wastewater Renewal and Extension Fund) 170201 (DWM Wastewater Treatment and Collection) 5424003 (Computers \$5,000+) 4310000 (Sanitary Administration)

Category # 920.2930

5. Source of Funds: Example: Local Assistance Grant

WTC Operational Budget 2008

6. Fiscal Impact:

\$181,000.00.

Number 5052.170201.5424003.431000.

1. Method of Cost Recovery:

The operational savings in budget, management and Human Resources is estimated to result in a \$10 million annual savings when fully implemented. Implementation time frame is estimated to be 1 year from project initiation. Additionally a savings will be realized by WTC facilities in the efficient purchasing of services/supplies in accordance with COA CATS program

This Legislative Request Form Was Prepared By:

Charles A. East, Project Task Manager – PMT; Executive Staff to Deputy Commissioner - Bureau of Wastewater Treatment and Collection, and Gwendolyn Carswell, Watershed Manager, x6331.

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: _____ Maisha L. Wood _____

Contact Number: _____ (404) 330-6887 _____

Originating Department: _____ Department of Watershed Management _____

Committee(s) of Purview: _____ Finance/Executive _____

Chief of Staff Deadline: _____ July 3, 2008 _____

Anticipated Committee Meeting Date(s): _____ July 16, 2008 _____

Anticipated Full Council Date: _____ July 21, 2008 _____

Legislative Counsel's Signature: _____ *M. Theresa* _____

Commissioner Signature: _____ *Robert G. Hunter* _____

Chief Procurement Officer Signature: _____ *Adam Robinson* _____

CAPTION

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN APPROPRIATE CONTRACTUAL AGREEMENT WITH IBM CORPORATION, PURSUANT TO CITY CODE SECTION 2-1191 (SOLE SOURCE PROCUREMENT), FOR THE PURPOSE OF PROVIDING IBM MAXIMO ASSET MANAGEMENT SOFTWARE LICENSES FOR PURCHASING, INVENTORY AND WORK ORDERS ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT, IN AN AMOUNT NOT TO EXCEED ONE HUNDRED EIGHTY-ONE THOUSAND DOLLARS AND NO CENTS (\$181,000.00); ALL CONTRACTED WORK TO BE CHARGED TO AND PAID FROM FUND, DEPARTMENT ORGANIZATION AND ACCOUNT NUMBER 5052 (WATER AND WASTEWATER RENEWAL AND EXTENSION FUND) 170201 (DWM WASTEWATER TREATMENT & COLLECTION) 5424003 (COMPUTERS \$5,000+) 4310000 (SANITARY ADMINISTRATION); AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any): \$181,000.00

Mayor's Staff Only

Received by CPO: _____ Received by LC from CPO: _____
(date) (date)

Received by Mayor's Office: *Amc 7/17/08* Reviewed by: *[Signature]*
(date) (date)

Submitted to Council: _____
(date)